

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 6731 of 2004

Between:

Osuri Sitha Rama Lakshmi, W/o.Late Radha Phanikar,
R/o.Narsapur, W.G.District.

... PETITIONER

AND

- 1 S.H.O.,Narsapur P.S.,W.G.District.
- 2 Deputy Suptd.of Police, Narsapur, W.G.District.
- 3 Suptd.of police, Eluru, W.G.District.
- 4 Osuri Devendra Phanikar, S/o.Late Gandaharam, Narsapur, West Godavari
District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus or any other appropriate writ, order or direction directing the third respondent to immediately initiate steps in Crime No.178/ 2003 & 179/2003 on the file of Narsapur P.S., West Godavari District, and pass such other order.

Counsel for the Petitioner: MR.C.RAGHU

Counsel for the Respondents: GP FOR HOME

The Court made the following order:

ORDER:

Petitioner seeks a writ of mandamus directing the Superintendent of Police, Eluru, West Godavari District, to immediately take steps in Cr.No.178 of 2003 and Cr.No.179 of 2003 on the file of Narsapur Police Station, West Godavari District, to effect the arrest of the fourth respondent.

It is stated in the counter that on a complaint filed by the petitioner against the fourth respondent Cr.Nos.178 and 179 of 2003 were registered. Investigation has been conducted and after examining certain witnesses and recording their statements, the said cases were closed as 'False'. The final report to the above effect has been filed before the Additional Judicial First Class Magistrate Court, Narsapur.

Therefore, the only course open to the petitioner is to file a protest application and therefore the question of directing the third respondent to immediately initiate any further proceedings does not arise.

Accordingly, the writ petition is dismissed. No costs.

V. ESWARAIAH, J

April 5, 2005

Dsk

To

- 1 The S.H.O.,Narsapur P.S.,W.G.District.
- 2 The Deputy Superintendent of Police, Narsapur, W.G.District.
- 3 The Superintendent of police, Eluru, W.G.District.
- 4 Two CCs to GP For Home, High Court Buildings, Hyderabad (OUT)

Two CD Copies.